



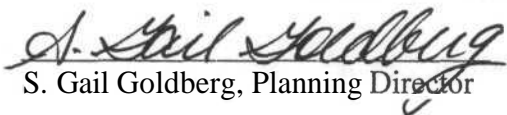
THE CITY OF SAN DIEGO

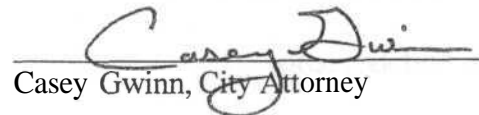
**ADMINISTRATIVE GUIDELINES
FOR
COUNCIL POLICY 600-24**

(Standard Operating Procedures and
Responsibilities of Recognized Community Planning Committees)

City of San Diego Planning Department
Office of the City Attorney

Approved July 1991
Amended May 2001


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CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

Date: April, 2001

600-24 Reference:

CROSS-REFERENCE GUIDE

Administrative Guidelines Section

Council Policy (CP) 600-24 Section

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Date:
Adopted July 1991
Amended April, 2001

600-24 Reference: Article III, Section 3
Article V, Section 2
Article VI, Section 3
Article VIII, Section 1 (2), (3), (6)

(1) ENCOURAGING COMMUNITY PARTICIPATION

It is essential to the success of local planning committees that broad community participation be encouraged. To this end, Council Policy 600-24 requires that planning committees periodically seek community-wide understanding of, and participation in, the planning and implementation process. Planning committees must provide participation during review of specific development proposals to property owners, residents, and business establishments affected by the proposed project. Any interested member of the public should be allowed to address the proposal, though time limits and the method of participation can be defined by the group.

The policy also requires a good faith effort on the part of the committees to advertise regularly scheduled meetings and annual elections in neighborhood newspapers and other available means. Usually this includes posting agendas and election notices in public locations, such as local branch libraries, recreation centers, community kiosks or bulletin boards. Many community planning committees have developed their own websites upon which election information can be placed. Also, community newspapers carry articles about the planning committees' activities throughout the year, and advertise the groups' elections. Although the Council Policy 600-24 states that the Planning Department will place advertisements in a citywide newspaper, this is not done currently. Such advertisements have proven to be ineffective, and instead, the Department will provide camera-ready community-specific advertisements to planning committees or community newspapers upon request.

An important aspect of ensuring broad community participation includes the Council Policy 600-24 requirement that membership be open to all property owners, residents, and local business persons and that committee membership shall not discriminate based on race, color, sex, creed, national origin, sexual orientation, or physical handicap.

Council Policy 600-24 also requires that, "to the extent possible, [community planning committees should] be representative of the various geographic sections of the community and diversified community interests." As a result, many committees are formed based upon geographic districts, although this is not required. Other methods of ensuring diversified community interests include reserving specified numbers of seats for specific recognized groups (homeowners, renters, businesses) or specific local interests (districts, park and school boards, business associations). All such schemes, embodied in particular committee bylaws, are subject to approval by both the City Planning Director and the City Attorney. If not approved at this level, the Council Rules Committee can review and approve proposed changes.

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Date:
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600-24 Reference: Article III, Section 3
Article V, Section 2
Article VI, Section 3
Article VIII, Section 1 (2), (3), (6)

(1) ENCOURAGING COMMUNITY PARTICIPATION
(cont'd)

While these methods of fostering diversified community interests are the responsibility of the planning committee, the Planning Department may take an active role in helping to establish diversity on planning committees during the preparation of community plan updates because of the need to seek direct feedback from the community at large. This might include establishment of ad hoc plan update subcommittees or similar groups that increase public participation in the update process.

Although interest in the community planning committee process tends to run highest in areas with controversial developments or neighborhood issues, all committees can generate interest and participation by encouraging lively and well - run meetings and by actively noticing each monthly meeting and the annual election event. Other appropriate means of ensuring participation include networking with other active local and regional groups and by getting involved in local community organizing efforts.

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Date:
Adopted April, 2001

600-24 Reference: Article III

(2) ELECTED MEMBERS AND GENERAL MEMBERS

Council Policy 600-24 discusses roles and responsibilities of community planning committee members. The Council Policy refers exclusively to elected members of these committees, i.e., the 12-20 members identified in the policy.

Since the adoption of the policy, many committees have developed "general membership" categories of members. This is consistent with the goals of the Council Policy encouraging broad community participation in planning committee activities. However, since general memberships will vary by community, any planning committee provisions addressing general members' opportunities for participation in the committee, such as voting for elected members, speaking at meetings, participating in subcommittees, should be stated in the planning committee's bylaws or in procedures referenced in the bylaws.

The role of both the elected planning committee members and any general membership, or other community members, should be clearly described for issue areas such as elections or voting. A sample membership application is attached for your use.

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MEMBERSHIP APPLICATION

**COMMUNITY PLANNING GROUP
GENERAL MEMBERSHIP APPLICATION**

Name: _____ Date: _____

Mailing Address: _____ Tel. _____ (office)
_____ (home)

The _____ COMMUNITY PLANNING COMMITTEE requires that in addition to being at least 18 years of age, one of the following qualifications be fulfilled in order to be eligible for membership. Check the one that applies (please attach evidence of qualification under numbers).

- _____ 1. Resident of the community.
Residence address (if different than mailing address):

- _____ 2. Property owner in the community.
- _____ 3. Business or Professional person conducting business in the community.
Business name and address (if different than mailing address):

- _____ 4. Other _____
- _____ 5. Proof of Membership Qualification (Drivers License, Business License, Utility Bill, other).

If qualifying under numbers 2 or 3 above, state the capacity in which you will be serving during membership (owner, owner's representative, company representative, etc.):

Signature

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Date:
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600-24 Reference: Article III, Section 4

(3) COMMUNITY PLANNING COMMITTEE TERM LIMITATIONS

The basic term limitation requirements in Council Policy 600-24 allow members to serve for up to eight or nine years, depending on the length of their fixed terms. Member terms may be two, three, or four years in length. Members serving for two or four years are limited to a total of eight consecutive years on a committee, while members serving three year terms are limited to nine consecutive years.

Members who have reached the end of their allowed number of terms may, after a one year break in service, again serve on a community planning committee. Breaks in service of less than one year cause subsequent time to count as continuous time against the total number of years of service limits, although the time not in service may be subtracted.

Two exceptions to the term limitations policy were adopted in 1989. Members serving in excess of eight or nine years at the time of the policy amendment in 1989 were allowed to continue their committee membership until the expiration of their then current term. In addition, members who have served more than eight or nine years, if elected to an additional term by at least a two-thirds majority, may serve in excess of the term limits.

Election by a two-thirds majority to a term beyond eight or nine years should be considered "time on" for the purposes of counting continuous service. If an additional term is subsequently sought without a break in service, a two-thirds majority vote is again required. No more than twenty five percent of the total committee membership can consist of members serving in excess of the specified term limits. The term limitation provisions also require that no committee members may serve as officers of the committee for longer than eight or nine years, even if elected to additional terms by a two-thirds majority. In general, unless there is a severe problem with participation in planning committees, members and officers should try to provide for a "changing of the guard" on a regular basis.

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600-24 Reference: Article IV, Sections 1, 2

(4) VACANCIES

Council Policy 600-24 directs each committee to establish procedures in their bylaws for filling vacancies and for defining an excused absence. The filling of vacancies on the committee can have the same potential for controversy that elections have. Because of this, it is important to include vacancy procedures in the bylaws following many of the same principles that are outlined in the administrative guideline on **(6) GENERAL ELECTION PROCEDURES**.

As with election procedures, try to make sure that the committee's procedures for filling vacancies are clearly defined and are as unambiguous as possible. Consider membership requirements, methods for candidates to speak on their qualifications or issues, and who votes for the new member (often, only officers vote to fill existing vacancies), as well as how votes are conducted. It is also important that the procedures are communicated and followed consistently, and that an appearance of impartiality is maintained.

Keep in mind that the policy requires that vacancies shall be filled not later than 120 days following the date of determination of the vacancy, and that if the vacancy is not filled by this deadline it can affect the membership or continued operation of the committee.

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Date:
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600-24 Reference: Article VI, Section 4

(5) COMMUNITY PLANNING COMMITTEE ROSTERS

One of the duties of community planning committees is to maintain up to date rosters of committee members and to submit these rosters to the Planning Department. Along with bylaws and annual reports, the roster is required and made available to the public.

Although it is important to maintain a member roster throughout the year with periodic updates, at least one revised member roster must be submitted to the City in April of each year, following the March committee elections.

Member rosters submitted for City use should contain, at minimum, the following types of information: **Member Name, Address, Telephone Number and FAX and E-mail address, Date or Term Expiration, and Eligibility Category(s)**. The three basic eligibility categories are: **(1) Resident or Tenant, (2) Property Owner, or (3) Business Owner or Business Operator** with an Address in the Community. Some planning committees may have other eligibility categories, particularly newly developing areas which do not yet have residents.

These categories should be clearly identified, and defined if necessary, in the individual planning committee bylaws. Telephone numbers, E-mail address and FAX numbers are important to City staff to have the ability to transmit information electronically in a more timely manner. Planning Department staff also uses this information to invite community planning committee members to training sessions and other City functions.

Member roster information could also be collected from prospective applicants for the filling of vacant community planning committee seats or for prospective candidates for the annual March elections. A sample Member Roster form is attached for your reference. It is suggested that committees use this form, or a form with equivalent information, to help standardize basic member or applicant information.

Note that these rosters are only for listing of the 12-20 members of the planning committee recognized by the Council Policy. Many committees have established "general" membership categories of participation in committee activities. These are often used to establish voting rights for vacancies on the board (see **(6) GENERAL ELECTION PROCEDURES**). The City does not need to retain information about individuals participating in a general membership category.

Note: Planning Committees have requested that members' addresses and telephone numbers not be given to outside parties who may use the lists for commercial or political reasons. Therefore, the City encourages each planning committee to additionally supply the City with a roster containing the following required information: Member Name; Date of Term Expiration; and, Eligibility Category. If the Planning Department has a committee roster in this format, as well as the full mailing and telephone information for the chair, only the basic roster will be made available to non-City requests.

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MEMBER ROSTER

Planning Committee: _____

Date: _____

Name: _____

Name: _____

Address: _____

Address: _____

Phone-work: _____ Phone-home: _____

Phone-work: _____ Phone-home: _____

District Area(opt): _____

District Area(opt): _____

Subcommittee(s)(opt): _____

Subcommittee(s)(opt): _____

Eligibility Category: _____ Term Exp: _____

Eligibility Category: _____ Term Exp: _____

Name: _____

Name: _____

Address: _____

Address: _____

Phone-work: _____ Phone-home: _____

Phone-work: _____ Phone-home: _____

District Area(opt): _____

District Area(opt): _____

Subcommittee(s)(opt): _____

Subcommittee(s)(opt): _____

Eligibility Category: _____ Term Exp: _____

Eligibility Category: _____ Term Exp: _____

Name: _____

Name: _____

Address: _____

Address: _____

Phone-work: _____ Phone-home: _____

Phone-work: _____ Phone-home: _____

District Area(opt): _____

District Area(opt): _____

Subcommittee(s)(opt): _____

Subcommittee(s)(opt): _____

Eligibility Category: _____ Term Exp: _____

Eligibility Category: _____ Term Exp: _____

Name: _____

Name: _____

Address: _____

Address: _____

Phone-work: _____ Phone-home: _____

Phone-work: _____ Phone-home: _____

District Area(opt): _____

District Area(opt): _____

Subcommittee(s)(opt): _____

Subcommittee(s)(opt): _____

Eligibility Category: _____ Term Exp: _____

Eligibility Category: _____ Term Exp: _____

Submitted by: _____

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Date:
Adopted July, 1991
Amended April, 2001

600-24 Reference: Article III, Section 2
Article IV, Section 1
Article V, Sections 1 -3

(6) GENERAL ELECTION PROCEDURES

Election procedures are less likely to generate controversy if a sincere effort is made by the committee to make the process open and accessible to the community. According to Council Policy 600-24, each planning committee is charged with establishing their own election procedures to be incorporated into the bylaws or into a procedure referenced in the bylaws. The Council Policy provides four criteria in this Section that must be addressed in the election procedures but leaves, for the most part, the overall content to the discretion of the committee. This discretion is necessary, given the diversity of planning groups throughout the City. The policy further stipulates when and how elections will be conducted. These stipulations should also be reflected in the individual procedures.

The Council Policy also requires that committee members "be elected by eligible community members." Community planning committees have defined "eligible community members" differently, depending on their individual needs. Some groups have defined eligible members as anyone in the community, others have defined a general membership based on more restrictive standards. The policy remains vague on this point to allow for community discretion. A sample membership application is attached for your use.

Because election procedures are not rigidly defined by the Council Policy, they can be closely scrutinized or challenged by the public--and often are. Therefore, clear election procedures should be provided for in the bylaws and consistently followed. When preparing your committee's election procedures, it is important to be as detailed and descriptive as possible, while maintaining some degree of flexibility where necessary (e.g., location of "polls"). Clearly define the roles and responsibilities of committee members participating in the election process. In developing election procedures, try to determine the location of polling places, dates and times of elections to maximize public participation and not committee convenience.

Try to make sure that the election policies in the bylaws or in procedures are readily available to the public and presented consistently. It is useful to prepare detailed instructions that can be distributed in writing.

It is also important to maintain as much objectivity surrounding the committee elections as possible. For example, it is wise to detach any members competing for elected seats from the process. Experience has shown that when candidates running for seats, especially during re-election, are portrayed as being part of a "slate of candidates", a perception arises that a planning committee is not interested in seeking new members or diverse viewpoints, or that the outcome of the election is **pre-determined**. This, of course, is contrary to the objectives of Council Policy 600-24.

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600-24 Reference: Article VI Section 2

(7) COMMUNITY PLANNING COMMITTEE ATTENDANCE AND QUORUMS

Regular attendance by elected committee members at scheduled community planning committee meetings is required by Council Policy 600-24. Because of this, the policy requires that a committee seat be vacated if a member fails to attend three consecutive meetings without an excuse. The definition of attendance excuses has been left to individual committees to decide. As a guideline for adoption in the bylaws of individual committees, it is suggested that appropriate excuses include personal or family illness, death in the family, call to active duty in the military, or unavoidable business responsibilities. The committee chair should be notified a minimum of 24 hours in advance if a member is unable to attend a scheduled meeting.

In the absence of a quorum, any business transacted is null and void. In such a case, however, it is the business that is illegal, not the meeting. If the committee's rules require that the meeting be held, the absence of a quorum in no way detracts from the fact that the rules were complied with and the meeting held, even though it had to adjourn immediately.

The only actions that can legally be taken in the absence of a quorum are to fix the time in which to adjourn, recess, or take measures to obtain a quorum (for example, contacting members during a recess and asking them to attend). The prohibition against transacting business in the absence of a quorum cannot be waived even by unanimous consent. In the absence of a quorum, and if it is deemed convenient by the members present, the members may hear a presentation, but cannot vote, on an item. If an important opportunity would be lost unless acted upon immediately, the members present at the meeting can, at their own risk, act in the emergency in the hope that their actions will be ratified at a later meeting at which a quorum is present.

Before calling a meeting to order, the chair should be sure a quorum is present. If a quorum cannot be obtained, the chair should call the meeting to order, announce the absence of a quorum and entertain a motion to adjourn or one of the other motions allowed, as described above.

If a meeting has a quorum to begin with, but members leave the meeting, the continued presence of a quorum is presumed unless the chair or a member notices that a quorum is no longer present. If the chair notices the absence of a quorum, it is his/her duty to declare the fact, at least before taking any vote or stating the question on any new motion. Any member noticing the apparent absence of a quorum can raise a point of order to that effect at any time so long as he or she does not interrupt a person who is speaking. A member must question the presence of a quorum at the time a vote on a motion is to be taken. A member may not at some later time question the validity of an action on the grounds that a quorum was not present when the vote was taken.

If a meeting has to be adjourned because of a lack of a quorum, either before it conducts any business or part way through the meeting, the committee may call another meeting to complete the business of the meeting, or the business trails to the next regularly scheduled and noticed meeting of the committee.

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600-24 Reference: Article VI, Section 2

(7) COMMUNITY PLANNING COMMITTEE ATTENDANCE AND QUORUMS
(cont'd)

Council Policy 600-24 also requires that a quorum be present whenever a community planning committee wishes to conduct business or vote on a project or action. Quorums are defined as a majority of non-vacant seats. However, certain committees require a greater number of members be present than a simple majority. A person with an excused absence may not count as a member present toward a quorum. See Section (8) for a discussion of quorum related to voting eligibility.

A record of attendance, usually included in the monthly committee minutes, is required to be filed with the Planning Department (contact your community planner). This is required to be filed within fourteen days following approval of the committee minutes. In addition, committee resolutions on specific projects should include whether or not a quorum was present at the meeting. Committees should also vote to approve meeting minutes at the following scheduled meeting, so that, for example, January's meeting minutes should be voted upon during the February meeting and forwarded to the Planning Department within 14 days of the February meeting.

Periodically, community planning committees have trouble retaining member interest. The reasons for declining interest can be varied. If your committee begins to experience problems maintaining a quorum, it could seriously affect the committee's ability to operate effectively. Upon recognition of this sort of problem, it may be useful for the committee chair to contact the Planning Department to consider alternative solutions. A committee whose membership is 20 members may request to amend its bylaws to require fewer members. The minimum number of members allowed is twelve.

All meetings of committees or subcommittees are required to be open to the public. No "executive sessions" or closed sessions of the planning committees are allowed. In comparison, the City Council and Planning Commission are both subject to the Ralph M. Brown Act - the open meeting act adopted by the State of California - and are allowed to conduct closed sessions for purposes of potential litigation, personnel matters, or real estate transactions. None of these matters are within the purview of planning committees.

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Date:
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600-24 Reference: Article VI, Section 2,3
Article VIII, Section 1(2)

(8) PARLIAMENTARY PROCEDURE AND VOTING

Roberts' Rules of Order

Council Policy 600-24 states that all meetings and subcommittee meetings of recognized community planning committees shall be conducted in accordance with Roberts' Rules of Order except as otherwise provided for in the policy or in committee bylaws. Planning committees are encouraged to develop procedures that meet the needs of the community. Roberts' Rules of Order should be utilized only when the committee determines that a community-specific procedure would not be more beneficial to the committee's operation, or when the provision of Roberts' Rules is so common or straightforward that it need not be repeated in the bylaws.

The Agenda

Usually the chair or another designated person is charged with the responsibility for preparing the agenda. The person preparing the agenda can, of course, seek assistance with the task. The agenda consists of the items of business to be discussed at a meeting. An item early on the agenda should be Public Comment. This is consistent with the committee's and Council Policy's goals to invite and encourage broad community participation in committee activities.

As a matter of practice, committees should consider adoption of the agenda as the first order of business at a meeting because until the committee adopts the proposed agenda, it is just that, merely a proposal. When a motion to adopt the agenda is made, the motion can delete items from or rearrange the order of items on the proposed agenda.

Adding items to the agenda at the meeting should not be a regular practice of the planning committee. The published agenda should give the public a clear indication of the planning group's business at the meeting. If, due to a unique opportunity or an unexpected time limitation to vote on a development project, the chair determines that an item should be added to an agenda, the addition must be voted upon by the full committee and must receive a two-thirds vote to be added. Also, some attempt to notify the public should be made. The requirement to notify a developer about the discussion of his/her project is still required in accordance with Article VI, Section 3, of Council Policy 600-24.

Once the agenda has been adopted, the business items on it are the property of the committee, not of the groups or individuals who submitted the items. Any change to the agenda, once it has been adopted, can be made only by motion of the committee and requires two-thirds or larger majorities to pass.

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Date:
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600-24 Reference: Article VI, Section 2
Article VIII, Section 1(2)

(8) PARLIAMENTARY PROCEDURE AND VOTING
(cont'd)

Once the agenda has been adopted, each item of business on the agenda will come before the meeting unless: (1) no one moves a motion, (2) no one objects to withdrawal suggested by the sponsoring individual or group, (3) a motion to delete an item from the agenda is made and passed, or (4) the meeting runs out of time before the item can be discussed.

Debate on Motions

Business is accomplished in meetings by means of debating motions. The word "motion" refers to a formal proposal by two members (the mover and seconder) that the meeting take certain action.

Technically, a meeting should not consider any matter unless it has been placed before the meeting in the form of a motion. In practice, however, it is sometimes advantageous to permit limited discussion of a general topic before a motion is introduced. A preliminary discussion can sometimes indicate the precise type of action that is most advisable, whereas presentation of a motion first can result in a poorly worded motion, or a proposal for action that, in the light of subsequent discussion, seems inadvisable. This departure from strict parliamentary procedure must be used with caution, however. The chair must be careful not to let the meeting get out of control.

Normally, a committee member may speak only once on the same question, except for the mover of the main motion, who has the privilege of "closing" the debate (that is, of speaking last). If an important part of a committee member's speech has been misinterpreted by a later speaker, it is in order for the committee member to speak again to clarify the point, but no new material should be introduced. If two or more people want to speak at the same time, the chair should call first upon the one who has not yet spoken.

Committees may want to adopt rules limiting the time a member may speak in any one debate—for example, five minutes. The mover of a motion may not speak against his or her own motion, although the mover may vote against it. The mover need not speak at all, but when speaking, it must be in favor of the motion. If, during the debate, the mover changes his or her mind, he or she can inform the committee of the fact by asking the committee's permission to withdraw the motion.

Determining Results of a Vote

All votes must occur at a noticed, open meeting of the planning committee. Members must be present to cast a vote, and no proxy voting is permitted.

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Date:
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600-24 Reference: Article VI, Section 2
Article VIII, Section 1(2)

(8) PARLIAMENTARY PROCEDURE AND VOTING
(cont'd)

Most motions are decided by a majority vote. A majority vote is more than half of the vote cast, counted after abstentions are disallowed. If 15 votes are cast, one an abstention, for instance, then a majority will be 8 votes. If 20 votes are cast, 5 as abstentions, a majority is also 8 votes. The total for counting a majority is the votes for and against a motion, not including the abstentions. Based on the discussion below, there are only occasional reasons to abstain. More commonly, members either vote or recuse themselves.

Abstentions and Recusals

Section 15 of The Charter of the City of San Diego contains a provision which states that "No member shall be excused from voting except on matters involving the consideration of his own official conduct or in which his own personal interests are involved." This language precludes City Council members from abstaining unless a conflict-of-interest exists.

Although this provision of the City Charter does not apply to planning committees, it is an advisable practice for committees to follow. Pursuant to Article VI, Section 2 of Council Policy 600-24, committee members have a duty to attend committee meetings. Implicit in the duty to attend meetings is the duty to participate in, and vote on, matters.

If a direct economic interest exists as discussed in Section (12), the individual may not participate, is not part of the meeting quorum, and is not an abstention. An individual with a direct economic interest does not count toward a quorum on that item, and should physically remove themselves from the committee's table, and they should not participate in any way as a committee member on that item.

In the unusual circumstance that the number of recusals causes the planning committee to lose a voting quorum, a vote may still be taken. This should only be done if it is not possible to obtain a quorum by continuing the matter in order to include participation by absent committee members. If forced to act with less than a quorum due to these circumstances, the outcome should be forwarded to the City with an explanation of why the vote is less than a quorum vote.

Limited legitimate justifications for abstaining do exist. For example, a committee member may have missed a meeting where important information was presented about the item on the agenda, or the member may be new to the committee that meeting. A committee member who abstains should state for the record the reason for abstaining. A committee member who abstains should do so before the matter is presented or debated. In other words, it is generally inappropriate for a committee member to participate in the debate on a matter, ask questions and express opinions, and then abstain from voting.

Voting Rights of the Chair (Special Prerogative to Abstain)

Participation of the chair in voting on action items is not discussed in Council Policy 600-24, therefore it defers to Roberts' Rules of Order. Given the nature of planning committee business, and the responsibility of elected members to participate in committee business, the Planning Director and City Attorney believe that chairs should be given the flexibility to participate in the planning committee's voting.

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Date:
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600-24 Reference: Article VI, Section 2
Article VIII, Section 1(2)

(8) PARLIAMENTARY PROCEDURE AND VOTING
(cont'd)

Robert's Rules of Order state that if presiding officers are members of their groups, they have the same voting rights as any other member. A presiding officer has the right, but not the obligation, to vote and also may cast a vote which will decide an outcome. The Rules do qualify the matter by allowing the "...rule or custom within a particular board... to be used by a committee".

Generally, presiding officers have the same right to debate as other members, but are cautioned that impartiality is best maintained by not participating in the debate. Where presiding officers feel compelled to join the debate, they should first hand the gavel over to the highest ranking member present who has not participated in the debate. The "... rule or custom within a particular board..." applies to the debate as well as to the vote.

Committees should decide which model works best for them: one where the chair both debates and votes; one where the chair debates but does not vote except to make or break a tie; or, one where the chair neither debates nor votes. It is important that whatever model a committee chooses, it should be clearly understood by everyone, memorialized in the committee bylaws or an adopted rule and consistently followed.

Using a model where the chair only votes to break a tie, the outcome of any motion requiring a majority vote will be determined by the chair's action in cases in which, without his/her vote, there is either a tie vote or one more vote in the affirmative than in the negative. Because a majority of affirmative votes is necessary to adopt a motion, a tie vote rejects the motion. If there is a tie without the chair's vote, the chair can vote in the affirmative, thereby creating a majority for the motion. If the chair abstains from voting in such a case, however, the motion is lost (because it did not receive a majority).

If there is one more affirmative vote than negative votes without the chair's vote, the motion is adopted if the chair abstains. If he/she votes in the negative, however, the result is a tie and the motion is therefore lost.

In short, the chairperson can vote either to break or to cause a tie; or, when a two-thirds vote is required, can vote either to cause or to block the attainment of the necessary two-thirds.

CITY OF SAN DIEGO
COUNCIL POLICY 600-24
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Date:
Adopted April, 2001

600-24 Reference: Article VI, Section 2
Article VIII, Section 1(2)

(8) PARLIAMENTARY PROCEDURE AND VOTING
(cont'd)

Voting on Revised Projects

Discussion Items or projects should be acted upon only one time by a planning committee. The vote should occur during a timeframe where the planning committee believes there has been an opportunity for public input, or when a development project is at a point where it is close to being finalized. The project should be at a point of certainty where the planning committee vote could recommend approval or denial of the project, or recommend additional conditions, with some certainty that the project upon which the recommendation is based is the project that actually will be considered by the decisionmaker [the Hearing Officer, the Planning Commission, or the City Council]. Planning committees often identify this point of certainty during the public review period of the environmental document. Other groups are prepared to take a position after the first or second Project Assessment Letter sent to the applicant. Until an assessment letter is sent, planning committees have little guidance from staff regarding the project's compliance with the City's policies or regulations.

However, it is recognized that items or project may be considered over a period of time at multiple meetings. If a project has been substantially revised since a prior vote by the committee, at the committee's discretion the revised project may be placed on the agenda for a new vote by the committee rather than as a reconsideration of a prior vote.

CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

Date:

Adopted July, 1991
Amended April, 2001

600-24 Reference: Article VI, Section 2

(9) NOTIFICATION OF MEETINGS

An important duty of community planning committees is to inform project applicants, neighboring residents and business establishments of upcoming meetings during which proposed projects will be reviewed or voted upon by the committee. It is suggested that subcommittee meetings be announced at the full committee's monthly meeting and be included in mailed or posted meeting notices. All meetings during which specific development projects will be discussed or voted on **DO REQUIRE NOTIFICATION** of the affected parties.

Adequate notice is not defined by Council Policy 600-24, and community planning committees are not subject to **State-wide** notification requirements (the Brown Act discussed in an earlier section), since all actions taken are advisory in nature. However, to the extent possible, Committees should provide consistent notification to affected parties in a timely and effective manner.

Suggested guidelines for notification include:

- * Applicants for development projects should receive notice of pending Committee meetings during which their projects will be voted on at least 72 hours prior to the scheduled meeting.
- * Affected property owners or business establishments whose properties abut, front or are otherwise directly affected by the pending development project should be notified at least 72 hours prior to the scheduled meeting.
- * Proposed development projects which have a potential for affecting larger areas of the community or whose significance is of a regional nature should be noticed more widely, if at all possible. If time is available, the meeting at which such projects are scheduled to be voted on should be noticed in one of the local community papers and/or on community bulletin boards or in public library branches.
- * It is suggested that a week to 10-day notice be given to project applicants, affected neighbors and business establishments when controversial or significant regional projects will be voted on. This is the **timeframe** within which the planning committees' agenda should be mailed out, and allows a **project** applicant to confirm his/her attendance at the meeting in order to make a presentation or answer questions and hearing the community's concerns.

Community planning committees should establish noticing procedures based upon the above guidelines and should be consistent in their application. Such noticing procedures as are adopted should be included within the **committee's** procedures. Responsibility for notification of affected parties should be delegated to committee members or subcommittees who accept the responsibilities involved and understand the adopted procedures. Established procedures consistently applied can help create an atmosphere in which local planning decisions are respected and adhered to. It should be noted that legal notices mailed to property owners by the City include a statement about the regular committee meeting time, date and place of that community's recognized planning group.

CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

Date:
Adopted July, 1991
Amended April, 2001

600-24 Reference: Article VI, Section 4

(10) ANNUAL REPORTS

Annual Reports are the third piece of information about planning committees that is part of the public record (along with bylaws and rosters).

Council Policy 600-24 requires that Community Planning Committees submit an annual report to the offices of the City Clerk and the Planning Department by February 15 each year. At this time, Annual Reports are maintained only by the Planning Department and should not be sent to the City Clerk's office.

The importance of the annual report is twofold: it serves as a record keeping tool to help ensure continuity among the committee in the event of membership and officer changes; and it provides the committee, the City and the public at large with an opportunity to review what the committee has accomplished and to set some goals on what the committee would like to accomplish. The February 15th filing date allows the committee as comprised prior to the March election to file a report of its accomplishments.

Annual reports have traditionally varied among committees (perhaps necessarily so) and no one format is preferred, provided that it pertains to the accomplishments and objectives of the committee in carrying out its duty advising the City on community plan preparation, amendments and/or implementation (e.g., reviewing development projects).

The Planning Department has prepared the following annotated outline that your committee can use in preparing an annual report. It is our experience that the reports are easiest to read if they are prepared with short statements or "bullets." The report does not have to follow a chronological format, but it would be desirable to record the dates of votes and the vote results for major projects. In addition, it is not necessary to detail every item considered, but major actions of the committee should be highlighted.

- I. Introduction.** Include the name of the group, its officers and any subcommittees.
- II. Administrative Issues.** Include the number of meetings held, membership changes, revisions to the committee's bylaws, procedures and/or policies.
- III. Plan Preparation and Implementation.** Provide a chronology of participation on a plan update or amendments, ordinance preparation/amendments and rezones, public facilities financing plan, etc. Include, if possible, specifics on key actions taken (dates and results of votes).

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COUNCIL POLICY 600-24
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Date:
Adopted July, 1991
Amended April, 2001

600-24 Reference: Article VI, Section 4

(10) ANNUAL REPORTS
(cont'd)

- IV. Special Projects.** Document any special projects discussed and voted on by the group. Include specifics on any actions taken. Projects could include policy items, City or regional task forces, General Plan meetings, or political candidate as well as ballot forums.
- V. Project Review.** Document the committee's review and/or actions taken on major discretionary projects. List this information by project name and location if possible. Discretionary projects include variances, street vacations, planned development permits and coastal development permits.
- VI. Objectives.** Address any or all of the above categories. Discussions might include how the group operates or interacts or special projects that the committee would like to pursue.

Preparation of the Annual Report provides an excellent opportunity to account for all the minutes of the previous year. While the report may be prepared by a single member or a subcommittee of the planning committee, it must be discussed and accepted by the committee as a whole before being forwarded to the City.

CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

Date:
Adopted July, 1991
Amended April, 2001

600-24 Reference: Article VI, Section 6

(11) COMMUNITY PLANNING COMMITTEE ORIENTATION TRAINING

Planning committee members require land use planning training to function effectively in the public arena. Recognizing this, Council Policy 600-24 requires each committee member to attend an orientation training session put on by the City Planning Department. This orientation training session usually includes various key concepts necessary for an understanding of the community planning process. The session focuses on the roles and responsibilities of elected members of community planning committees. The training session provides legal indemnification for committee members who complete the training and who act in accordance with Council Policy 600-24 and their planning committee's bylaws.

Typical topics covered include the basics of planning practice, an overview of the City's governmental and Planning Department structure, the role of the General Plan, Community Plan, the discretionary and ministerial permit process, the California Environmental Quality Act, the regulatory and enforcement functions of the City, and the rules and regulations governing the City's community planning committee process, as embodied in Council Policy 600-24. Four-hour orientations are scheduled once a year, typically in June, after the City receives roster information for the new elected planning committee members. Abbreviated sessions are held periodically throughout the year. The City continues to extend an invitation to elected members until they attend a session and City staff confirms their attendance.

It is the duty of the Chair of each individual planning committee to notify the City Planning Department of the election or appointment of new members. As noted above, indemnification is denied the new committee member until the training session is attended. Newly elected members are strongly encouraged to attend the first available session.

Planning Committee members may desire some background on the field of planning. Several good texts are available for the lay planner, including the highly recommended "The Role of the Planning Commissioner," published by the American Planning Association. Your assigned community planner can refer committee members to other relevant books and articles.

CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

Date:

Adopted July, 1991

Amended April, 2001 (renumbered)

600-24 Reference: Article VI, Section 7

(12) DIRECT ECONOMIC INTEREST

This section of the Council Policy was amended in July, 1990 to clarify the City Council's direction regarding the issue of conflict of interest. The provision requires that members who have direct economic interest in a project, disclose that interest and refrain from voting or participating in any manner as a member of the planning group. It is, however, acceptable for the member to assist in the presentation of the project to the group, so long as it is clear that the member is acting as an applicant and not as a group member.

According to the City Attorney, "direct economic interest" would include being an owner or part owner of the property, business or development which is the subject of the application, or having any financial interest such as a lease or option to purchase the property or a security interest represented by a note deed of trust on the property. During planning committee review of other planning actions, such as ordinances, a conflict of interest would exist if a planning committee member had any kind of direct financial interest in the results of the ordinance and should not participate as a committee member during any actions taken by the committee on that ordinance. For example, if a planning committee member had a home occupation permit and the city was considering actions to amend the home occupation ordinance, that planning committee member should refrain from participating in any planning committee advisory actions on the ordinance amendment.

Community-wide, or large scale actions that include one or more member's property among many would not constitute direct economic interest unless the proposed actions would affect a direct economic interest of a member in a manner different than the affect on the public generally. In general terms, if personal income is derived from approval of a project, the member should refrain from participation.

There may be other fact situations that arise and, as it is difficult to provide a definition that would include every eventuality, if there is a question whether or not it is a situation of direct economic interest, it is advisable to err on the side of caution (i.e., disclosure and non-participation) or to contact the Planning Department for assistance.

CITY OF SAN DIEGO
COUNCIL POLICY 600-24
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Date:
Adopted July, 1991
Amended April, 2001

600-24 Reference: Article VII, Section 5

(13) REPRESENTATION AT COMMUNITY PLANNERS COMMITTEE MEETINGS

As a means to ensure communication and to solicit citizen input on City-wide issues among the various planning committees in the City, the Community Planners Committee (CPC) was instituted. Council Policy 600-24 designates each community planning committee chair to also be the committee's representative at the CPC. Planning committees may designate by "specification" (i.e., vote) someone other than the chair to be the CPC representative, and committees may select an alternate to attend when the designated representative cannot attend the CPC meetings. If neither individual is available to attend, a committee representative may attend a CPC meeting and speak on behalf of the committee, but may not vote on the committee's behalf. Following is the form to use to submit the names and mailing information for a planning committee's CPC representative and alternate.

CPC meetings provide a forum to discuss city-wide planning issues. The meetings often include presentations by City Planning Department staff or other speakers on topics of interest to CPC. The meetings are an opportunity to network with other community leaders and to question staff on important policy or development issues. CPC is staffed by a City Planning Department senior staff member well versed in planning and policy issues. Positions taken by CPC on important issues provide a key link with decision-makers at City Hall and in the various City Departments.

The planning committees' role has expanded to take in many task forces and special projects outside of typical planning issues. CPC provides members to many of these efforts. In addition, CPC has formed subcommittees to review various issues in depth, and has made recommendation of great value to City decisionmakers.

CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

**COMMUNITY PLANNERS' COMMITTEE (CPC)
MEMBERSHIP DATA**

Planning Committee

Date

- ☐ I am the committee's representative to CPC

- The designated alternate is:

or

- ☐ I am not the committee's representative to CPC.

The committee's action on _____ designated
Date

the CPC representative as:

City staff must receive this information pursuant to CPC by-laws in order for any committee to maintain active membership in CPC.

CHAIR

Please call Theresa **Millette** at (619) 235-5206 if you have any questions. You may fax this completed

CITY OF SAN DIEGO
COUNCIL POLICY 600-24
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Date:
Adopted July, 1991
Amended April, 2001 (renumbered)

600-24 Reference: Article II, Section 4

(14) ENDORSEMENTS

It's important that community planning committees maintain and reinforce their independence as non-partisan advisors to the City on local land use matters. Because of this, Council Policy 600-24 does not permit individual planning committee members to use their committee affiliation when taking a position on, or endorsement of, a political candidate, or ballot issue. Planning committees, as a whole, may endorse non-partisan ballot measures, but are not permitted to take a position or endorse a political candidate. It is suggested that presentations on competing ballot measures or political candidates be given to planning committees at the same meeting, and that committees should set rules about what kinds of measures they will hear. It would be best to limit such presentations to planning related matters. If political candidates address planning committees, the committees should attempt to invite all candidates for that position to address the committee at the same meeting.

If in doubt, a good general rule of thumb is not to permit use of your committee affiliation in any distributed election materials or broadcast endorsements of any kind (with the exception noted above regarding committee endorsement of non-partisan ballot issues). Provisions regarding prohibition of committee or member identification are valid at any forum or in any medium (newspaper, letters) outside of committee meetings. Council Policy is silent on the issue of whether community planning group members can run for elective (public) office without first resigning from the planning committee. However, planning committee member's running for office should follow the same guidelines laid out for ballot issues and not identify themselves as planning committee members. It's also a good idea to contact your assigned community planner when unsure about this issue.

CITY OF SAN DIEGO
COUNCIL POLICY 600-24
ADMINISTRATIVE GUIDELINES

Date:

Adopted July, 1991
Amended April, 2001

600-24 Reference: Article VI, Section 2

(15) SUBCOMMITTEES

The only reference to subcommittees in Council Policy 600-24 states that, "all meetings...shall be open to the public and shall be conducted in accordance with Roberts Rules of Order except as otherwise provided in this Council Policy and/or committee bylaws." It is up to each individual community planning group to decide whether or not it wants to establish subcommittees. Subcommittees can be very useful in helping a planning committee carry out their responsibility of advising the City in the preparation and implementation of a community plan. Subcommittees allow for increased participation in the community planning process. They have also proven to shorten the meeting of the full committee by developing recommendations upon which the committee can vote.

The majority of recognized community planning committees in the City have active subcommittees. The type and composition of the subcommittees varies. Many of these planning groups have some sort of subcommittee that reviews development proposals.

The composition or membership of a subcommittee may be decided upon by each community planning committee. There are no restrictions on the size of the subcommittee, or on the number of elected versus non-elected (or general) members. However, any member of a subcommittee that is not an elected community planning committee member, is not indemnified nor legally protected by the City's indemnification policy.

Because subcommittees serve as official arms of the planning group, they should adhere to the provisions of Council Policy 600-24 stated above. All subcommittee meetings must be open to the public. In order to make sure that subcommittees are as open as possible, meetings should not be held in private homes. In addition, the Planning Department recommends that subcommittees adhere to all of the other provisions of Council Policy 600-24 that might apply. The Planning Department also recommends that the composition and operating procedures of subcommittees be included in the planning committee's bylaws.

Any recommendation or a subcommittee must go through the community planning committee for an official vote. Council Policy 600-24 specifically states in Article I, Section 4, that: "the official positions and opinions of the committee shall not be established or determined by any organization other than the committee." Therefore, the City will not recognize subcommittee recommendations if presented directly to the City without being voted upon by the community planning committee. It is acceptable for subcommittee recommendations to the full committee be placed on the committee's agenda as consent items for action by the full voting board. Only the full committee's vote should be sent to the City, including votes taken regarding development projects.

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ADMINISTRATIVE GUIDELINES

Date:
Adopted April, 2001

600-24 Reference:

(16) MAKING AMENDMENTS TO ADOPTED BYLAWS

When a community planning committee desires to amend its bylaws, the amendment should be discussed in accordance with procedures or bylaw provisions previously set up by the committee.

After the planning committee has voted to approve the bylaw amendment, it should be forwarded to the assigned community planner. The staff planner prepares a resolution discussing the date and content of the planning committee's proposed amendment. The amendment is reviewed by the Planning Director and City Attorney for conformance with Council Policy 600-24 and with the committee's bylaws. If consistent, it can be approved by the Planning Director and City Attorney. If there is a question about consistency, or if it is not consistent with Council Policy 600-24 or the bylaws, then the community planner will schedule the item to be discussed at the Rules Committee of the City Council. The amendment may be accepted or rejected. The amendment is not in effect until it is approved by the City.

If a planning committee wishes to establish any procedure either called for in the Council Policy, or to replace a provision of Roberts Rules of Order, the procedure may be included within the committee's bylaws, become an appendix, or may be established as a separate procedure acknowledged by an amendment to the bylaws. When a planning committee establishes a procedure, the bylaws should be amended to specifically identify the existence of the procedure and its general content. Procedures are also subject to Planning Director and City Attorney approval.